

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL ACTION
	:	NO. 91-570-02
	:	
v.	:	
	:	
JAMES COLE	:	

O R D E R

AND NOW, this **9th** day of **June, 2014**, upon consideration of Defendant's Motion to Dismiss (ECF No. 489), Motion to Disregard (ECF No. 493), and Motion to Strike (ECF No. 494), the Court **CONSTRUES** the motions as a **voluntary withdrawal** of Defendant's motion for relief pursuant to § 3582(c)(2) and Amendments 505 and 536 (ECF No. 470). Accordingly, Defendant's motion for relief (ECF No. 470) is **DENIED without prejudice**. It is further ordered that the Motion to Dismiss (ECF No. 489), Motion to Disregard (ECF No. 493), and Motion to Strike (ECF No. 494) are **DENIED as moot**.¹

AND IT IS SO ORDERED

/s/ Eduardo C. Robreno
EDUARDO C. ROBRENO, J.

¹ With regard to Defendant's motion to strike docket entry numbers 366 and 371, both of those documents are supplemental briefs submitted in support of Defendant's claim for relief pursuant to § 3582(c)(2) and Amendment 505. As discussed above, the Court reads Defendant's various motions to be withdrawing that claim, and thus grants Defendant's Motion to Strike to the extent that it seeks that result. The Court declines to strike the briefs from the docket entirely, however.